

REMARKS

The present amendment is submitted in response to the Office Action dated December 6, 2005, which set a three-month period for response. Filed herewith is a Request for a One-month Extension of Time, making this amendment due by April 6, 2006.

Claims 1-7 are pending in this application.

In the Office Action, claims 1-2, 4-5, and 7 were rejected under 35 U.S.C. 102(b) as being anticipated by EP Patent No. 0544424 A1 to Sakai.

The Applicants note with appreciation the allowance of claims 3 and 6, if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

In the present amendment, the specification has been amended to add standard sectional headings and to delete reference to the claims.

Claim 1 has been amended to more clearly define the present invention over the cited reference. Specifically, claim 1 now defines that "as a function of the direction of motion, it is determined whether a vibration or a true rotational movement has occurred, wherein the vibration is recognized with alternating rotational direction and a rotational movement is recognized with reference to multiple measurement impulses in a specific direction of rotation, wherein upon recognition of the true rotational movement, a direction-of-motion signal is generated and upon recognition of the vibration, output of the direction-of-motion signal is suppressed". Support for this new language can be found in the

specification on page 3, last paragraph, through page 4, second paragraph and in Block 6 of Fig. 1. Block 6 of Fig. 1 provides that the associated sensor output is switched off or on (output off, or output on).

The Applicants respectfully submit that amended claim 1 defines a patentably distinct set of features that is not disclosed by the cited reference to Sakai, which does not show that upon recognition of a true rotational movement, a direction-of-motion signal is generated, and that with a vibration, the output of a direction-of-motion signal is suppressed.

The output signal of the quadrature detector 11 generates a direction signal (see column 4, lines 31-36 of Sakai). Fig. 1 with the associated description of Sakai shows and discloses that **the direction signal is generated in every case, independent from whether a vibration exists or not**. With the direction signal, the counting direction of the counter 8 is controlled (column 5, lines 6-14). In particular, in Sakai this type of vibration effects continuously the counter 8 (column 5, lines 42-43). In Sakai, the direction signal is continuously generated and is NOT suppressed with vibrations. Thus, in Sakai, vibrations have no effect on the relative speed, and therefore it is proposed in Sakai to ignore them (column 5, lines 43-54). This last position is a relative speed value, not, however, an indicator for the rotational direction.

With the subject matter of the present invention, as defined in amended claim 1, in contrast, such a vibration direction signal would not be evaluated, since with the present invention, the signal is suppressed with vibrations. By means of this output of only clear rotational direction information and the targeted

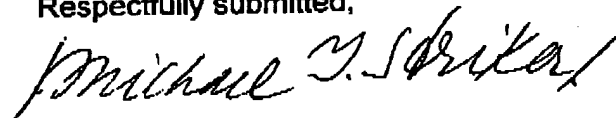
suppression with vibrations, microprocessors are not unnecessarily loaded. A suggestion regarding suppression of the rotational direction information is not provided by Sakai; Sakai does not provide a unit for vibration recognition, which controls the output of the rotational direction information.

Because claim 1 defines features that are not disclosed by Sakai, the rejection under Section 102 must be withdrawn. Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984).

For the reasons set forth above, the Applicants respectfully submit that claims 1-7 are patentable over the cited art. The Applicants further request withdrawal of the rejection under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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